

REMARKS

Reexamination and reconsideration is respectfully requested in light of the foregoing proposed amendments to the claims and the following remarks.

Claims 1 and 5-7 are pending in this application. It is proposed to amend claim 1 and to cancel claim 7. Claims 2-4 and 8-10 were canceled by a previous amendment. It is further proposed to add new claims 11-13. The new claims and the amendments to claim 1 do not add new matter to the application and do not require new consideration and/or search for reasons set forth below. Support for the amendments and new claims can be found in original claims 3, 7 and 9, in Fig. 3, and at page 4, lines 6-25 and page 6, lines 2-5 of the specification. It is respectfully requested that the proposed amendment be entered.

Rejection Of Claims Under 35 U.S.C. § 103

Claims 1 and 5-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki et al. (U.S. Patent No. 5,828,780) in view of Ito et al. (U.S. Patent No. 5,884,120). It is proposed to cancel claim 7. If the proposed amendments are entered, the rejection of claim 7 would be moot.

To expedite prosecution, it is proposed to amend independent claim 1 to recite an image processing apparatus for processing plural pages of a job to be given to an output device. As amended the apparatus comprises (i) a memory for memorizing all of the plural pages of the job, (ii) a decision controller for determining for each page of all said plural pages whether or not image data on said each page are data within a color reproduction range of the output device and deciding parameters to be used for color correction on a job basis; and (iii) a color compressing controller for compressing all said plural pages using the decided parameters so as to supply the

processed data to the output device. Claim 1 as amended includes the three components of the apparatus which the Examiner has already examined in claim 1, including the determination and compressing steps being performed on each page of a plurality of pages. These features were presented for consideration in the Amendment filed on January 12, 2006. Therefore, the amendments to claim 1 would not require a new consideration and/or search.

Neither Suzuki et al. nor Ito et al. disclose or suggest the idea of determining for each page of all said plural pages, whether or not image data on said each page are data within a color reproduction range of the output device. Further, the references taken alone or in combination do not disclose deciding a color reproduction range of plural color documents to reproduce an image in the same color in all plural pages even if a paper to which an image is outputted is changed, i.e., when the same color is used in the input document, the same reproduced color is also used in the output document.

For all of the foregoing reasons, it is believed that the proposed amendment places claim 1 as well as claims 5 and 6, which are dependent upon claim 1, in condition for allowance. It is respectfully requested that the amendment be entered and the rejection reconsidered and withdrawn.

New Claims

Claim 3 has been rewritten as new claim 11, which is dependent on amended claim 1. The features in claim 3, now claim 11, have been previously considered by the Examiner. Therefore, the new claim would not require new consideration and/or search.

Claim 7 has been rewritten as new claim 12, but in light of the amendments to claim 1. Method claim 12 includes the same basic steps as set for the in canceled claim 7, including the

determination and compressing steps being performed on each page of a plurality of pages. These features were presented for consideration in the Amendment filed on January 12, 2006. Therefore, the new claim would not require new consideration and/or search.

Claim 9, which was dependent on original claim 7, has been rewritten as new claim 13. This new claim is dependent on new method claim 12. Because the features in claim 9 have already been considered by the Examiner, the new claim would not require new consideration and/or search.

For all of the foregoing reasons, it is respectfully requested that the amendment to add new claims 11-13 be entered.

Conclusion

Accordingly, it is urged that the amendment be entered to overcome the rejection of record. Entry of the amendment and favorable reconsideration of this application, as amended, are respectfully requested.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due under 37 C.F.R. § 1.17 and due in

Application No. 09/656,440

connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Cameron K. Weiffenbach
Registration No. 44,488

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 CKW:jdj
Facsimile: 202.756.8087
Date: July 11, 2006

**Please recognize our Customer No. 20277
as our correspondence address.**